

WARNER, NORCROSS & JUDD

ATTORNEYS AT LAW

900 OLD KENT BUILDING
111 LYON STREET, N.W.
GRAND RAPIDS, MICHIGAN 49503-2489

TELEX: 226-415 WARCROSS GDR
FAX (616) 459-2170 & (616) 459-2611
TELEPHONE (616) 459-6121

MUSKEGON OFFICE
COMERICA BANK BUILDING
801 WEST NORTON AVENUE
P.O. BOX 0417
MUSKEGON, MICHIGAN 49443-0417
TELEPHONE (616) 739-2297
FAX (616) 733-1460

HOLLAND OFFICE
SUITE 230
29 WEST EIGHTH STREET
HOLLAND, MICHIGAN 49423-102
TELEPHONE (616) 396-9800
FAX (616) 396-3656

US EPA RECORDS CENTER REGION 5



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E.C.
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HAROLD S. SAWYER
HAROLD F. SCHUMACHER
CHARLES C. LUNDSTROM
THOMAS R. WINQUIST
PAUL K. GASTON
GEORGE L. WHITFIELD
WALLSON G. KNACK
CHARLES E. MCCALLUM
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VERNON P. SAPER
HUGH H. MAKENS
JOSEPH M. SWEENEY
GORDON R. LEWIS
ROBERT J. CHOVANEC
PETER L. GUSTAFSON
ROGER H. OETTING
J. A. CRAGWALL, JR.
STEPHEN R. KRETSCHMAN

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JON P. BACHELDER
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BLAKE W. KRUEGER
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VALERIE P. SIMMONS
KENNETH W. VERMEULEN
MARK E. BROUWER

MARK R. LANGE
JEFFREY S. BATTERSHALL
JEFFREY A. OTT
DONNA B. STOKES

OF COUNSEL
LAWSON E. BECKER
PHIL R. JOHNSON
CONRAD A. BRADSHAW

DAVID A. WARNER
1983-1986
GEORGE S. NORCROSS
1989-1990
SIEGEL W. JUDD
1993-1992

June 14, 1990

CERTIFIED MAIL,
RETURN RECEIPT REQUESTED

Ms. Beth A. Henning
Assistant Regional Counsel
U.S. EPA (5CS-TUB-3)
230 South Dearborn Street
Chicago, Illinois 60604

Re: Albion-Sheridan Township Landfill

Dear Ms. Henning:

I was advised this afternoon that Mr. Jerry Richardson appeared at the above-referenced site today and informed representatives of Great Lakes Environmental Services, Inc. and U.S. EPA's contractor that he owns a portion of the property upon which a fence and a gate are to be erected pursuant to the Work Plan. Specifically, Mr. Richardson indicated that he owns a parcel of property extending from Erie Road northward approximately 720 feet, and lying between the residence to the west of the landfill and the main landfill gate on Erie Road. As you know, the Work Plan calls for the erection of a fence and a gate across part of this area. Mr. Richardson apparently indicated in addition that he spoke with a representative of U.S. EPA approximately one year ago regarding this matter.

Following the discussion with Mr. Richardson, the Weston representative at the site attempted to contact Jason El-Zein at the U.S. EPA Emergency and Enforcement Response Branch in Grosse Ile. Because Mr. El-Zein was not available, the Weston representative spoke with Mr. Ross Powers, who identified himself

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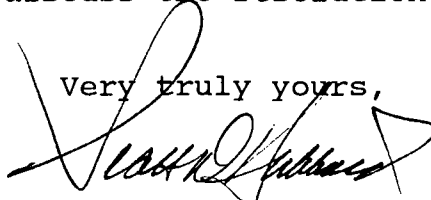
as Mr. El-Zein's supervisor. I am advised that Mr. Powers directed that Great Lakes Environmental Services immediately cease work on the Erie Road fence and gate, and that the Respondents will not be deemed to have violated the Section 106 order by virtue of the delay that will result from ceasing such work. Mr. Powers confirmed those statements in a subsequent conversation with Kate Lynnes of our office. Kate Lynnes also spoke late today with Mr. El-Zein and informed him of these events.

At the time of Mr. Richardson's appearance at the site, Great Lakes had completed the grading of the area for fencing and had dismantled a gate which Mr. Richardson claimed to own. Great Lakes had not yet begun, however, to erect the fence in that area.

We are attempting to contact Mr. Richardson in an effort to ascertain the boundaries of his property. It seems clear at this point that it will be necessary to modify the Work Plan with respect to the fence and gate that were to be erected along Erie Road. In addition, the resolution of this matter will almost certainly delay completion of the fencing beyond the 10-day time limit imposed under the Section 106 order. Accordingly, we ask that U.S. EPA provide written confirmation that the respondents will not be subjected to liability if the fencing is not completed within that time frame.

The remainder of the work required under the Section 106 order is nearly completed, and our contractor is proceeding with the erection of the other fences and gates. We will contact you tomorrow morning to discuss the resolution of this matter.

Very truly yours,



Scott D. Hubbard

cc: Eagle-Picher Industries, Inc.
Mr. Thomas P. Shannon